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# FACSIMILE TRANSMITTAL SHEET

To:

Examiner Melanie R. Tyson - Group 3731

FIRM/COMPANY:

U.S. Patent and Trademark Office

Mail Stop Amendment

**FACSIMILE NUMBER:** 

571.273.8300

CONFIRMATION TELEPHONE:

FROM:

Edward J. Lynch

DIRECT DIAL:

415.957.3067

DATE:

January 24, 2007

**USER NUMBER:** 

5119

FILE NUMBER:

Attorney Docket No. R0368-04000;

Serial No. 10/716,329

TOTAL # OF PAGES:

(INCLUDING COVERSHEET)

13

Message:

Please see the attached Amendment and Response to Office

Action.

NOTE: Original will not follow

#### **CONFIDENTIALITY NOTICE**

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JAN 2 4 2007

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re the application of			) Examiner: Melanie R. Tyson				
Burbank et al.			) Group Art Unit: 3731				
For:	INTR	CULUM-LIKE DEVICE AVAGINAL INSTRUM VERY	•	•			RESPONSE
Seri	al No.: 10		) )				ON MAILED
File	d: Novem	ber 18, 2003	)				_
Doc	ket No.: F	<u>10368-04000</u>	,				
	I hereby certi Amendment	CERTIFICATE OF M fy that these papers are being sent b Commissioner for Patents, P.O. Bo By	y facsimile to (571) ox 1450, Alexandria	) 273-8300, addres a. VA 22313-1450	sed to Examir	ner Melanie R.	Tyson, Mail Stop n Francisco, CA.
Con P.O.	Box 1450	for Patents	Sirpa Kir	jonen"/			
Dear	r Sir:						•
1.		tted herewith for filing in the to Office Action Mailed		ntified patent	application	n is an <u>Am</u> e	endment and
	<u>X</u>	No additional claim fee Amendment increases n		_	-	ncies.	
		Description	Fee Code	Claims	Extra	Rate	Fee
		Independent Claims	1201	2-9=	0 x	\$200=	\$0
		Total Claims	1202	14-53=	0 x	\$50=	\$0
	•				Fees Du	ė	<b>.</b> 0
3.	<u>_x</u> _	Applicants herein withdo	raw claim to s	mall entity st	atus.		
4. Payment of Fees  Enclosed is a check for the total fees due in the amount of  X The Commissioner is authorized to charge any fees due, and to credit any overpayment of fees set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0368-04000. A duplicate copy of this document is enclosed for fee processing.							
							/
			By: <u></u> ∠	) flux	Lymph	/21	
Dus	ne Morris	LLP	By: <u></u> ∠	Edward J. Registration		122	
	ne Morris Market	LLP	By: <sub>≰</sub> ∠	Edward J. Registration Attorney f	n No. 24,4		<u></u>
One Spea	Market ar Tower, S	Suite 2000	By: <u>∠</u>	Registratio	n No. 24,4		<u>u</u>
One Spea San	Market ar Tower, S Francisco,		By:∠	Registratio	n No. 24,4		<u></u>

Direct Dial: (415) 957-3067

### JAN 2 4 2007

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of			Examiner: Melanie R. Tyson				
Bu	rbank et a	l.	)	Group A	rt Unit: 3	731	
For:		.CULUM-LIKE DEVIC AVAGINAL INSTRUM		Group A	at Omit. 3	731	
	DELI	VERY	j				RESPONSE
Seria	l No.: 10	/716,329	}	. ]	TO OFFI	CE ACTIC 11/02/200	N MAILED
Filed	l: Novemi	ber 18, 2003	)		•		
Dock	cet No · R	.0368-04000	,				
	I hereby certi	CERTIFICATE OF M fy that these papers are being sent b Commissioner for Patents, P.O. Bo	y facsimile to (571	) 273-8300, addres B. VA 22313-1450	sed to Exami	ner Melanie R. '	
P.O.	Box 1450	for Patents	Sirpa Kii	Govern C		YC	
Dear	Sir:						•
i.	Transmitted herewith for filing in the above-identified patent application is an <u>Amendment and Response to Office Action Mailed 11/02/2006</u> .						
Claim Fee Calculation     X No additional claim fee is required.     Amendment increases number of claims or multiple dependencies.  Additional Claim Fee Calculation							
		Description	Fee Code	Claims	Extra	Rate	Fee
		Independent Claims	1201	2-9=	0 x	\$200=	\$0
		Total Claims	1202	14-53=	0 x	\$50≃	\$0
					Fees Du	e	50
3.	<u>_X</u> _	X Applicants herein withdraw claim to small entity status.					
4.	Enclosed is a check for the total fees due in the amount of  The Commissioner is authorized to charge any fees due, and to credit any overpayment of fees set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0368-04000. A duplicate copy of this document is enclosed for fee processing.						
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One I Spear San F	Market Tower, S Francisco,	enclosed for fee process	sing.	Edward J. I Registratio	Lynch n No. 24,	122 122 122	

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JAN 2 4 2007 PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of	Examiner: Melanie R. Tyson			
Burbank et al.	Group Art Unit: 3731			
For: TENACULUM-LIKE DEVICE FOR INTRAVAGINAL INSTRUMENT DELIVERY	) ) ) ) ) AMENDMENT AND RESPONSE ) TO OFFICE ACTION MAILED			
Serial No.: 10/716,329	) <u>11/02/2006</u>			
Filed: November 18, 2003	)			

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-6300, addressed to Examiner Melania R. Tyson, Mall Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Jenuary 24, 2007; in San Francisco.

By: Sirpa Kirjoney

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Docket No.: R0368-04000

Dear Sir:

In response to the non-final Office Action mailed November 2, 2006, please amend the above identified application as follows: